

Chemical Analytics, Inc.

29959 Beverly Road, Romulus, Michigan 48174

October 14, 2002

Dockets Management System
U.S. Department of Transportation
Room PL 401
400 Seventh Street, SW
Washington, DC 20590-0001

Re: Docket Number FMCSA-02-11650 (HM-232A)

To Whom It May Concern:

In response to the request for comments on the to be proposed Enhanced Security Requirements for Motor Carriers Transporting Hazardous Materials, Chemical Analytics, Inc. ("CAI"), a hazardous waste/hazardous material transporter, would like to present the following for consideration.

1. While CAI recognizes the concerns of the RSPA and the FMCSA over the potential for some hazardous materials that are transported by motor carriers to be potentially used as weapons of mass destruction or in the manufacture of such weapons, CAI believes that the RSPA and the FMCSA should provide a "limited quantity exemption" from the requirements of the rule. Since the aim of this to be proposed rulemaking is to provide security against a hazardous material to be used as a weapon of mass destruction, it should be evident that shipping lab pack quantities of a hazardous material, such as a poison-by inhalation material, would be of an insufficient quantity to be used as a weapon of mass destruction. If the Department of Transportation were to implement these rules across the board without regard to quantity, it would place an undue burden on motor carriers that transport insignificant quantities of the hazard materials of each hazards class, that would be subject to the requirements of the final rule. In addition, based on the proposed scenarios, the inclusion of motor carriers that transport insignificant quantities of hazardous materials may needlessly overburden the system that would be implemented (i.e. pre-notification, vehicle tracking, vehicle escorts and the use of safe havens).
2. CAI would also like to address the feasibility of the "Escort" concept. This concept is ludicrous. Placing an armed escort on a motor carrier's vehicle transporting a hazardous material or in an accompanying vehicle as an attempt to prevent or defeat an attempted hijacking or attack against a shipment can be easily foiled. Since this concept did not work well for stagecoaches in the nineteenth century, CAI believes that it is of no value in the twenty-first century.

Thank you for consideration of Chemical Analytics, Inc. comments. If you have any questions, please call me at (734) 326-9400.

Best regards,

William Spirka
Vice President